

09/979558

Customer No. 22,852  
Attorney Docket No. 04853.0082

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In re Application of: )  
)  
Akihiko MARUYAMA et al. )  
) Group Art Unit: Not assigned  
Serial No.: Not Yet Assigned )  
) Examiner: Not assigned  
Filed: November 23, 2001 )  
)  
U. S. National Phase Application No. )  
PCT/JP00/3372 )

For: NOVEL PSYCHROTROPHIC  
BACTERIUM AND DNA  
PROBE FOR DETECTING THE  
BACTERIUM

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO-1449. Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the


documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 23, 2001

By:   
Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/dvz

**INFORMATION DISCLOSURE CITATION**

JC10 Sec'd PCT/PTO 23 NOV 2001 11

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Atty. Docket No.	04853.0082	Serial No.	
Applicant	Akihiko MARUYAMA et al.		
Filing Date	November 23, 2001	Group:	Not assigned

**U.S. PATENT DOCUMENTS**

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

**FOREIGN PATENT DOCUMENTS**

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

Maruyama, Akihiko, et al. "Phylogenetic analysis of Psychrophilic Bacteria Isolated From the Japan Trench, including a description of the deep-sea species <i>Psychrobacter pacificensis</i> sp. nov.", International Journal of Systematic and Evolutionary Microbiology 50, pp. 835-846, (2000).
Maruyama, A. et al., "Low-temperature Adaption of Deep-sea Bacteria Isolated from the Japan Trench", Marine Biology 128: pp. 705-711, (1997).
Bowman, John P. et al., "Novel <i>Psychrobacter</i> Species from Antarctic Ornithogenic Soils", International Journal of Systematic Bacteriology, pp. 841-848 (1996).
Bowman, John P. et al., " Diversity and Association of Psychrophilic Bacteria in Antarctic Sea Ice", Applied and Environmental Microbiology, pp. 3068-3078, (1997).

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce